

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

## DETERMINATION OF NEPA ADEQUACY (DNA)

### Gather of Excess Wild Horses Located Outside of the Piceance-East Douglas Herd Management Area DOI-BLM-CO-N05-2018-0071-DNA

#### Identifying Information

**Project Title:** Gather of Excess Wild Horses Located Outside of the Piceance-East Douglas Herd Management Area

**Applicant:** Department of the Interior, Bureau of Land Management (BLM), White River Field Office (WRFO)

#### Issues and Concerns

The West Douglas Herd Area, North Piceance Herd Area, and the Piceance-East Douglas Herd Management Area (PEDHMA) represent the locations wild horses were found at the passage of the Wild Free-Roaming Horse and Burro Act (WFRHBA). Through land use planning decisions made in 1997 and 2007, the BLM determined that only the PEDHMA was suitable for long term wild horse maintenance. The WRFO has been working to secure the boundary of the PEDHMA by maintaining existing fences and constructing new fences where necessary.

After a review of the current land use plan, the WRFO Field Manager concluded that all wild horses outside of the PEDHMA (specific to the analysis area) meet the statutory definition of excess animals, as determined in Memorandums dated January 2015 and March 2017. Based on that review, the WRFO Field Manager has concluded that an overpopulation exists and that the gather and removal is necessary to remove excess animals in accordance with the authority provided in 16 USC 1332 (f), 1333 (a), 1333 (b) (2), and 1334. Upon those findings (see Memorandums dated January 2015 and March 2017), the BLM shall immediately remove excess animals from the range. Gather and removal operations shall be conducted until excess animals in the project area have been removed in order to restore a thriving natural ecological balance and protect the range from deterioration associated with an overpopulation of wild horses.

Although the Cottonwood Creek, Rat Hole Ridge, and Foundation Creek areas were not specifically addressed in the previous excess determination memos, the BLM has since confirmed wild horses to be using the Cottonwood Creek area and believes there is potential for wild horses to move into the Foundation Creek and Rat Hole Ridge areas. These areas are located outside of

the PEDHMA and wild horses within these areas are considered excess for the same reasons detailed in the Memoranda of January 2015 and March 2017.

As of April 2018, the BLM estimates that there are at least 485 wild horses residing within the PEDHMA. Since the current wild horse population is almost twice the planned population (i.e., the high end of the Appropriate Management Level of 135-235 wild horses), the BLM would not relocate any wild horses from outside of the PEDHMA to areas within the PEDHMA. Rather, these gathered excess wild horses would be sent to either short-term and/or long-term holding facilities.

## **Conformance with the Land Use Plan**

The Proposed Action is subject to and in conformance (43 CFR 1610.5) with the following land use plan:

**Land Use Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

**Date Approved:** July 1997

**Decision Language (page 2-26): Objective:** “Manage for a wild horse herd ... [135-235 animals] within the Piceance-East Douglas Herd Management Area (HMA) so that a thriving ecological balance is maintained for all plant and animal species on that range.”

“The North Piceance and West Douglas Herd Areas will be managed in the short-term (0-10 years) to provide forage for a herd of 0 – 50 wild horses in each herd area. The long term objective (+10 years) will be to remove all wild horses from these areas.”

**Management:**

“Wild horses will be managed to provide a healthy, viable breeding population with a diverse age structure.”

“The boundary of the Piceance-East Douglas HMA will be expanded to include the Greasewood allotment (presently a part of the North Piceance Herd Area).”

“The wild horse herd population will be managed to improve range condition.”

**Land Use Plan Amendment:** West Douglas Herd Area Amendment (WDHAA) to the White River Resource Management Plan, Environmental Assessment CO-WRFO-05-083-EA

**Date Approved:** October 2007

In 2005, the BLM revisited its planning decisions to remove all wild horses in the herd area. The State Director found that BLM could not maintain a thriving natural ecological balance and multiple-use relationship outside of the designated Piceance-East Douglas Herd Management Area. That portion of the State Director’s decision reads as follows:

After extensive analysis and public input, the BLM concluded that a self-sustaining population of healthy wild horses could not be maintained within the West Douglas Herd Area in balance with their habitat and other uses, within the bounds of where wild horses existed in 1971, and with the minimum level of management needed to achieve land use plan objectives.

The State Director then found that wild horses within the White River Field Office's management area could be better managed within the designated Piceance-East Douglas Herd Management Area:

Intensive management would be required to maintain genetic viability of the herd, provide adequate horse habitat and suitable conditions for other competing uses, keep the horses within the boundaries of the management area, and to carry-out horse gathers in the localized rough terrain. For these reasons, BLM concluded that wild horses could be better managed within the adjacent Piceance-East Douglas Herd Management Area.

**Land Use Plan Amendment:** Northwest Colorado Greater Sage-grouse Resource Management Plan Amendment

**Date Approved:** September 2015

**Decision Number/Page:** Objective WHB-1. "Manage wild horses in a manner designed to 1) avoid reductions in grass, forb and shrub cover, and 2) avoid increasing unpalatable forbs and invasive plant such as *Bromus tectorum* (cheatgrass)."

**Management:** MD WHB-2: (ADH) Prioritize gathers in GRSG PHMA, unless removals are necessary in other areas to prevent catastrophic environmental issues, including herd health impacts. Consider GRSG habitat requirements in conjunction with all resource values managed by the BLM, and give preference to GRSG habitat unless site-specific circumstances warrant an exemption.

## **Proposed Action**

### ***Project Components and General Schedule***

Previous gather decisions for the WRFO have been implemented and are no longer in effect. To clarify any remaining doubt over the status of the 2015 WDHA Decision Record, the BLM intended to render that decision inoperative by agreeing to issue a new decision record before authorizing future removals of wild horses from the WDHA. *See Friends of Animals v. BLM*, No. 1:15-cv-01500 (D.D.C. 2017); and No. 17-5036 (D.C. Cir. 2017). Nonetheless, to clarify that all previous gather decisions in the WRFO, including the 2015 WDHA decision record are of no force and effect, the BLM will issue a new gather decision, which will supersede (i.e., replace) all previous gather decision records in the WRFO. As described above, gather decisions are not land use planning decisions.

By a new decision, the BLM proposes to authorize the use all approved gather methods (either individually or in various combinations) to remove all of the excess wild horses from areas located outside of the Piceance-East Douglas Herd Management Area (PEDHMA) described as: west of State Highway 13, essentially south of the White River, east of the Utah state border, and essentially north of the WRFO's southern boundary excluding the PEDHMA (see Figure 1). Gather and removal operations would be recurring over the life of this plan as funding and space in off-range corrals and/or off-range pastures allow until all of the excess wild horses are gathered and removed from areas located outside of the PEDHMA.

The BLM intends to conduct gather operations over multiple years (i.e., the next ten years) as the BLM's National Wild Horse and Burro Program determines there is space available in short-term and/or long-term holding facilities. Gather operations would continue as needed on an annual bases, as funding allows, or until excess wild horses are gathered and removed from areas outside of the PEDHMA. Actual activities each year would be subject to funding approval and availability of short-term and/or long-term holding facilities.

Bait and water trapping could be used at any time of the year. Helicopter drive-trapping or helicopter assisted roping would only be used outside of the foaling period (July 1 through February 28).

### ***Gather Methods***

The types of approved gather methods include:

1. Helicopter drive-trapping: would involve using a helicopter to spot and then herd wild horses towards a pre-constructed trap. Traps would be pre-constructed utilizing portable, round-pipe steel panels with funnel-shaped wings made up of jute fabric affixed to T-posts that have been temporarily tamped into the ground to create a visual barrier so that as the wild horses would be hazed by the helicopter towards the trap through the "wings" or funnel so that the wild horses would ultimately end up in the trap where people on-the-ground shut a gate behind them in order to catch them in the trap. In general, most traps would be 1 – 5 acres in size. Trap locations would be situated in areas where previously used trap sites were located or other disturbed areas whenever possible. Trap locations would be chosen for safety of maneuvering the wild horses into the trap, as well as, to gather the wild horses located in a given area. Helicopter drive-trapping would not be conducted between the dates of March 1 and June 30 which are considered to be the peak foaling period (WOIM #2010-183), except if emergency situations existing according to WOIM #2015-152 (found at <https://on.doi.gov/2uo51EA>). The BLM Wild Horse and Burro Handbook, H-4700-1, Section 4.4.4 prohibits the capture of wild horses by helicopter during peak foaling periods except in case of emergency.
2. Helicopter assisted roping: would include herding by helicopter towards ropers who rope the wild horse(s). Once roped, another rider would ride alongside the roped wild horse and roper, helping to haze, or herd, the roped wild horse either towards the trap or towards a stock trailer. Once at the trap the rope would be slipped off the wild horse's neck and it would join the rest of the trapped wild horses. No helicopter assisted roping would be conducted between the dates of March 1 and June 30 due to the BLM's policy which prohibits the capture of wild horses by helicopter during peak foaling periods.

3. Water trapping: would utilize a trap constructed of portable, round-pipe steel panels. Funnel-shaped traps would be built allowing wild horses to get deep into the trap so that the gate release mechanism has time to close. Water traps would be located at a specific water source. Water trapping may be conducted at any time of year.
4. Bait trapping: would utilize a trap constructed of portable, round-pipe steel panels. Funnel-shaped traps would be built which allow wild horses to get deep into the trap so that the gate release mechanism has time to close. Bait traps would be located in areas frequented by wild horses so that the horses make use of the provided forage (quality, weed free hay). Bait trapping may be conducted at any time of year.

## ***Design Features***

### **Helicopter Gather Operations:**

1. Avoid, if possible, helicopter gather operations from late-August through November for high public use areas during big game hunting seasons.
2. Colorado Parks and Wildlife (CPW) staff would be contacted to coordinate gather operations in an effort to develop mutually compatible strategies that may reduce the intensity and localize the expanse of helicopter related disturbances during big game hunting seasons.
3. The Contractor must operate in compliance with Federal Aviation Regulations, Part 91. Pilots provided by the Contractor shall comply with the Contractor's Federal Aviation Certificates and applicable regulations of the State in which the gather is located.
4. Aviation fueling operations would be conducted a minimum of 1,000 feet from wild horses in traps or temporary holding facilities.
5. All refueling would occur on existing roads or a site approved by the BLM as a helicopter staging area. All approved staging areas would be a minimum of 200 feet from any riparian area or stream channel. The operator would utilize absorbent pads while refueling to limit the potential of fuel spills. In the event of a spill of lubricant, hydraulic fluids, fuels, or other hydrocarbons, the spill would be reported to the BLM's Contracting Officer Representative (COR) or Project Inspector (PI) so that BLM can immediately conduct evaluations of any necessary clean-up actions, as well as perform such actions to ensure compliance with applicable laws, rules, and regulations.
6. If possible, the BLM would avoid helicopter gather operations from December through February to reduce/eliminate impacts to big game during the critical winter period.
7. If possible, the BLM would avoid helicopter gather operations from July 1 through August 15 to reduce/eliminate impacts to greater sage-grouse, nesting raptors and migratory birds.

8. A veterinarian from the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) would be at the gather operation to examine animals and make recommendations to the BLM for care and treatment of the gathered wild horses. Decisions to humanely euthanize animals in field situations would be made in conformance with BLMs 4730 Manual and WOIM #2015-070.

### **Animal Welfare:**

9. Contractors and/or BLM staff would utilize trailers to transport gathered wild horses to a temporary holding facility where they would receive appropriate food and water. Holding facilities and gather sites have historically been located on both public and private lands due to road access and availability of water and may be located on such lands again during proposed gather operations.
10. Wild horses that are removed from the area would most likely be transported to the Canon City, Colorado BLM holding facility where they would be prepared (freeze-marked, vaccinated, and de-wormed) for adoption, sale (as regulations permit), or long-term holding unless unforeseen circumstances warranted that the wild horses be transported to a different approved BLM holding facility (i.e. at Rock Springs, Wyoming).
11. There is no proposal to hold a wild horse adoption at the temporary holding facility upon completion of a gather operation because of current market conditions. However, if determined that an adoption is warranted, the BLM may hold an adoption offering approximately 10 wild horses with a date to be decided upon and advertised.

### **Communication:**

12. The WRFO would utilize the Incident Command System (ICS) to enable safe, efficient, and successful wild horse gather and removal operations in accordance with WOIM #2013-060.
13. The BLM would provide the public/media with safe and transparent visitation at wild horse gather operation in accordance with WOIM #2013-058. The BLM would conduct gather operations while ensuring the humane treatment of wild horses in accordance with WOIM #2015-151. A schedule would be prepared and posted on the appropriate website that would outline specific viewing opportunities and other relevant information. The BLM would provide concise, accurate and timely information about gather operations with communication and reporting during the course of an ongoing wild horse gather in accordance with WOIM #2013-061.
14. Any discovery of hazardous or potentially hazardous materials would be reported to the BLM hazardous materials coordinator and Law Enforcement for investigation.
15. Prior to commencement of gathering operations, the BLM would notify existing right-of-way holders, range permittees, operators, and lessees of any location, date, and time associated with the gather operation that may affect their permitted activities.

16. If gather operations are conducted during any of the CPW big game seasons, Special Recreation Permit holders authorized to operate in the analysis area for commercial big game guiding and outfitting would be notified of the gather activities and locations in advance.
17. The BLM is responsible for informing all persons who are associated with the project that they would be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
18. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery would cease, and the WRFO Archaeologist would be notified immediately. Work may not resume at that location until approved by the AO. The BLM would make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, the BLM would evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The BLM would implement the mitigation in a timely manner. The process would be fully documented in reports, site forms, maps, drawings, and photographs. The BLM would forward documentation to the SHPO for review and concurrence.
19. Pursuant to 43 CFR 10.4(g), the BLM would immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.
20. The BLM would be responsible for informing all persons who are associated with gather operations that they would be subject to prosecution for disturbing or collecting vertebrate or other scientifically-important fossils, collecting large amounts of petrified wood (over 25lbs./day, up to 250lbs./year), or collecting fossils for commercial purposes on public lands.

**Weed Management and Reclamation:**

21. Any hay fed at trap sites or holding facilities, on public lands, would be certified as weed free. Any noxious weeds that establish as a result of the proposed action would be controlled by the BLM. All of the trap locations would be monitored for up to three years for weed species infestation following gather operations. If weeds were discovered, the BLM would treat these locations following procedures outlined in the WRFO's Integrated Weed Management Plan (DOI-BLM-CO-110-2010-0005-EA). It is estimated that the total acreage affected would be less than 50 acres.
22. All of the trap locations would be monitored for up to three years for vegetation recovery. If problems with vegetation establishment are discovered, BLM would treat these

locations based on the aid in vegetation recovery that may be necessary, i.e. broadcast seeding, at the trap locations. It is estimated that approximately 50 acres would be affected for what would be considered the life of the gather and removal efforts.

23. All equipment used for gather operations shall be cleaned before it comes to WRFO and when it leaves WRFO to minimize the potential spread of noxious and/or invasive weed species.
24. Equipment shall be cleaned when moving between locations within the analysis area if noxious weeds are encountered and if there is any potential for weed seeds to be carried between locations.

### **Restrictions on Trap Locations:**

25. No traps or holding facilities would be located within Oil Spring Mountain Wilderness Study Area.
26. The BLM would not construct trap locations or temporary holding facilities within 300 meters of known occupied habitat for listed plant species. If trap sites are anticipated in potential or suitable habitat that have not been previously disturbed, 24 hours of notification would be required and a pre-survey for special status plant species would be conducted prior to mobilization of vehicles and equipment by a BLM plant specialist. If BLM Sensitive plant species or federally listed plant species are located, another site would be selected at a distance greater at least 300 meters from the edge of the population or occurrence and pre-surveyed similarly, as necessary.
27. Traps and temporary holding facilities location would be located in previously used trap sites or on an area of existing disturbance, such as road or a wash. If an existing disturbed area cannot be located for traps and temporary holding facilities, a cultural resource inventory would take place prior to the gather if there is inadequate inventory data available. If cultural resources are located during this inventory, the trap site or temporary holding facility would be moved to another location, which does not contain cultural resources.
28. No traps or holding facilities would be located at or impede the use of the developed recreation sites in Canyon Pintado National Historic District and along the Dragon Road (RBC Road 23).
29. Known and reported fossil localities would be avoided when locating trap sites and associated wing fences and holding facilities. Sites without adequate inventory data would need to be examined for the presence of fossils during trap site selection activities. Trap facilities would be relocated or modified to avoid impacting identified fossil resources.
30. Surveys of suitable raptor nesting habitat would be conducted by WRFO staff at those trap sites proposed for use or development from April 15 to August 15. In the event an



active raptor nest is found in the vicinity of trapping operations, these sites would be afforded a buffer adequate to effectively isolate nesting activity from disruptions generated by wild horse trapping operations as required in the 1997 White River RMP.

31. Those sites proposed for water trapping would be surveyed by WRFO wildlife staff prior to use to determine if sites are occupied by aquatic amphibian species. If trapping efforts are found to impact individuals or habitat, the trap site would be relocated.
32. Any traps placed within an ACEC would be limited to areas of existing disturbance and would be placed in a manner that it would not impact resources for which the ACEC has been designated. Until the BLM makes a decision (through a land use planning process) on whether or not to designate the two potential ACECs within the gather area, the BLM would place traps in the same manner as within the designated ACECs.

### **Minimizing Erosion:**

33. All activity shall cease when soils or road surfaces become saturated to a depth of three inches unless otherwise approved by the AO.
34. Any trap sites located on greater than 35 percent slope would be evaluated in the field by WRFO hydrology staff prior to identifying any necessary mitigation in order to ensure that use of the site would still allow for meeting Public Land Health Standard 1 (e.g., minimizing overland surface erosion and subsequent rill and/or gully formation). Example of mitigation may include: placement of wattles.

### **Review of Existing NEPA Documents**

**Name of Document:** Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area (EA) (DOI-BLM-CO-N05-2017-0056-EA)

**Date Approved:** August 2017

**Name of Document:** West Douglas Herd Area Wild Horse Gather (EA) (DOI-BLM-CO-N05-2015-0023-EA)

**Date Approved:** July 2015

### **NEPA Adequacy Criteria**

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

Yes, the Proposed Action is similar in location and nature to what has been previously analyzed. The existing NEPA documents (*West Douglas Herd Area Wild Horse Gather EA* and the *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA*) considered using the same gather techniques as the Proposed Action (i.e., helicopter drive-trapping, helicopter assisted roping, water trapping, and bait trapping to gather). The scope of the gathers in the existing NEPA is similar in that the previous EAs analyzed removal of all excess wild horses in several areas outside the PEDHMA. (The only place within the WRFO that is designated for long-term management of wild horses in the RMP is the PEDHMA.) Also, the Proposed Action would adhere to the same Standard Operating Procedures (SOPs) and Comprehensive Animal Welfare Program for Wild Horse and Burro Gathers (CAWP) standards that were considered in the existing EAs.

The only difference in location between the existing NEPA documents and the Proposed Action is the inclusion of 58,042 acres north of the West Douglas Herd Area (e.g., Cottonwood Draw), 7,929 acres southeast of the WDHA (e.g., Foundation Creek) and the inclusion of 9,417 acres in the southwest corner of the WRFO (e.g., Rat Hole Ridge). These areas are all outside of the PEDHMA but are areas where the BLM is beginning to find wild horses. The affected environment and impacts associated with gather and removal of excess wild horses within these areas are similar to those already disclosed for other areas outside of the PEDHMA. For example, Cottonwood Draw is similar to the North Piceance Herd Area (i.e., low elevation with scattered pinyon-juniper with the main water sources being the White River and springs) (for example, see discussion on pages 46, 47, and 48 of the *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA*.) The Rat Hole Ridge is similar to the Douglas-Baxter Pass divide with higher elevation mixed spruce, fir forests, and sagebrush communities (for example, see discussion on pages 53 and 54 of the *West Douglas Herd Area Wild Horse Gather EA*). The Foundation Creek area is similar to areas within the WDHA.

2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

Yes, the range of alternatives analyzed in the existing NEPA documents are appropriate for the new Proposed Action. The *West Douglas Herd Area Wild Horse Gather EA* analyzed three alternatives in detail: use of all approved gather methods (Alternative A); exclusive use of bait and/or water trapping (Alternative B); use of all approved gather methods but remove wild horses in a phased approach based on age and sex (Alternative C); and the No Action alternative (Alternative D). In addition, the EA considered three additional alternatives but eliminated them from detailed analysis: use of alternative capture techniques; gelding stallions over the age of three and returning them to the WDHA; and removing or reducing livestock within the WDHA and adjacent lands.

The *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA* analyzed the same alternatives as the *West Douglas Herd*

*Area Wild Horse Gather EA* except a phased gather approach based on age and sex was not considered. For alternatives considered but analyzed in detail, the BLM considered alternative capture methods and returning captured excess wild horses (from outside of the PEDHMA) to the PEDHMA.

BLM reviewed existing environmental conditions, concerns, and resource values and identified no additional reasonable alternatives that would meet the purpose and need of the proposed action, were not substantially the same as existing alternatives, and were technically or economically feasible. The alternatives examined in the existing NEPA documents are adequate and valid for the Proposed Action.

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

Yes, the existing analysis remains valid. There is no new information or circumstances that would substantially alter the analysis of the Proposed Action. The *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA* estimated there were 210 excess wild horses located outside of the PEDHMA (and east of Hwy 139) in July 2017. The *West Douglas Herd Area Wild Horse Gather EA* estimated there were 238 excess wild horses within the WDHA and 62 excess wild horses outside of the WDHA (west of Hwy 139) in 2015 (prior to a September 2015 gather of 167 excess wild horses).

Both existing NEPA documents considered how wild horse populations can increase at a rate of 20 percent annually and this trend would be expected to continue for any wild horses located outside of the PEDHMA. As such, it is estimated that as of July 2018, there would be 374 excess wild horses located outside of the PEDHMA (including those in the WDHA and on both sides of Hwy 139).

In February 2016, WRFO conducted an aerial inventory of wild horses on the locations and numbers of wild horses within the WDHA and the PEDHMA but did not include aerial inventory of several locations outside of the those areas.

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, the effects of implementing the Proposed Action are similar to those analyzed in the existing NEPA document. Review by BLM WRFO specialists did not indicate there would be any direct, indirect, and cumulative effects from the Proposed Action that were not adequately addressed in the existing NEPA documents. The Proposed Action is the same as the previous EAs in that the same gather methods would be used and that the

BLM is proposing to remove all excess wild horses from areas outside the PEDHMA. (The only place designated in the RMP for long-term management of wild horses within the WRFO is the PEDHMA.) The only change to the Proposed Action is that the gather area would be expanded to include the Cottonwood Draw (58,042 acres), Foundation Creek (7,929 acres), and the Rat Hole Ridge areas (9,417 acres) which is an increase of about 7.5 percent of the total area previously considered. (The *West Douglas Herd Area Wild Horse Gather EA* analysis area was 229,276 acres and the *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA* analysis area was 773,213 acres.).

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

Yes. For the *West Douglas Herd Area Wild Horse Gather EA*, external scoping was conducted from January 30, 2015 until February 14, 2015 and the public was informed of the scoping period via a news release and informational letters to interested parties. On April 6, 2015 the WRFO made the preliminary NEPA documents available for public review and comment and the public was again notified by a press release and letters to interested parties.

For the *Gather and Removal of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area EA*, the BLM posted the project on the BLM’s online NEPA register (ePlanning) on April 6, 2017. On June 5, 2017 the WRFO made the preliminary EA and unsigned finding of no significant impact (FONSI) available for public review and comment and the public was notified by a press release and letters to interested parties.

This DNA worksheet was also made available for a 30-day public review starting on June 4, 2018 and the public was notified by a press release and letters to interested parties (approximately 100 individuals and groups).

**Interdisciplinary Review**

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 4/3/2018. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who were responsible for ensuring that the BLM fulfilled its consultation obligations under Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act.

Name	Title	Resource	Date
Sarah MacDonald	Archaeologist	Cultural Resources, Native American Religious Concerns	4/20/2018
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	4/7/2018
Matt Dupire	Ecologist	Special Status Plant Species	4/9/2018
Melissa J. Kindall	Range Technician, Wild Horse Management	Project Lead	3/6/2018 and 5/21/2018

Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	6/1/2018
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**Tribes, Individuals, Organizations, or Agencies Consulted**

Letters describing the proposed action were sent to the Eastern Shoshone Tribes (Wind River Reservation), Ute Indian Tribe (Uintah & Ouray Reservation), Southern Ute Indian Tribe, Ute Mountain Ute Tribe, Pueblo of Jemez, and The Hopi Tribe on April 17, 2018.

In addition, the BLM archaeologist presented the proposed action to tribal representatives from the Ute Indian Tribe (Uintah & Ouray Reservation), the Southern Ute Indian Tribe, and the Ute Mountain Ute Tribe at the Bi-Annual Tribal Consultation Meeting April 19, 2018. No concerns have been noted by tribal authorities.

No formal consultation was required or conducted with the U.S. Fish and Wildlife Service as the known threatened or endangered populations would not be impacted by gather operations.

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM’s compliance with the requirements of the NEPA.

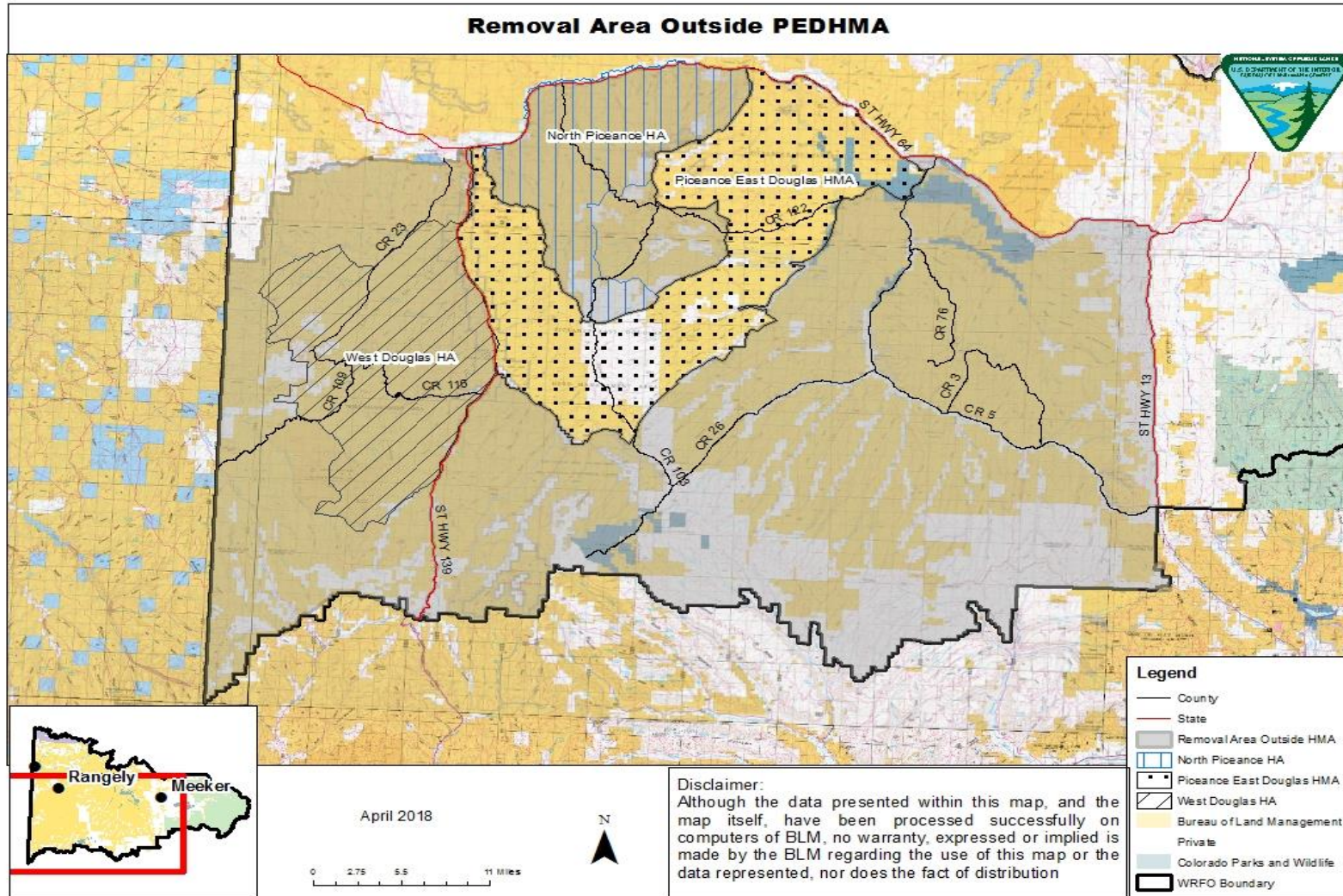
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Field Manager

\_\_\_\_\_  
Date

Note: The signed Conclusion of this Worksheet is part of an interim step in the BLM’s internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

## Appendix A. Map

Figure 1. Areas Targeted for Gather of Excess Wild Horses Outside of the Piceance-East Douglas Herd Management Area



**Appendix B. BLM Comprehensive Animal Welfare Program for Wild Horse and Burro Gathers (CWAP Standards)**

**COMPREHENSIVE ANIMAL WELFARE PROGRAM FOR WILD HORSE AND BURRO  
GATHERS**

**STANDARDS**

Developed by

The Bureau of Land Management Wild Horse and Burro Program

in collaboration with

Carolyn L. Stull, PhD Kathryn E. Holcomb, PhD

University of California, Davis School of Veterinary Medicine

June 30, 2015



## WELFARE ASSESSMENT STANDARDS for GATHERS

### Standard Definitions

**Major Standard:** Impacts the health or welfare of WH&Bs. Relates to an alterable equipment or facility standard or procedure. Appropriate wording is “must,” “unacceptable,” “prohibited.”

**Minor Standard:** unlikely to affect WH&Bs health or welfare or involves an uncontrollable situation. Appropriate wording is “should.”

**Lead COR** = Lead Contracting Officer’s Representative

**COR** = Contracting Officer’s Representative

**PI** = Project Inspector

**WH&Bs** = Wild horses and burros

## I. FACILITY DESIGN

### A. Trap Site and Temporary Holding Facility

1. The trap site and temporary holding facility must be constructed of stout materials and must be maintained in proper working condition, including gates that swing freely and latch or tie easily. (**major**)
2. The trap site should be moved close to WH&B locations whenever possible to minimize the distance the animals need to travel.(minor)
3. If jute is hung on the fence posts of an existing wire fence in the trap wing, the wire should be either be rolled up or let down for the entire length of the jute in such a way that minimizes the possibility of entanglement by WH&Bs unless otherwise approved by the Lead COR/COR/PI. (minor)
4. Fence panels in pens and alleys must be not less than 6 feet high for horses, 5 feet high for burros, and the bottom rail must not be more than 12 inches from ground level. (**major**)



5. The temporary holding facility must have a sufficient number of pens available to sort WH&Bs according to gender, age, number, temperament, or physical condition. **(major)**
  - a. All pens must be assembled with capability for expansion. **(major)**
  - b. Alternate pens must be made available for the following: **(major)**
    - 1) WH&Bs that are weak or debilitated
    - 2) Mares/jennies with dependent foals
  - c. WH&Bs in pens at the temporary holding facility should be maintained at a proper stocking density such that when at rest all WH&Bs occupy no more than half the pen area. **(minor)**
6. An appropriate chute designed for restraining WH&Bs must be available for necessary procedures at the temporary holding facility. This does not apply to bait trapping operations unless directed by the Lead COR/COR/PI. **(major)**
7. There must be no holes, gaps or openings, protruding surfaces, or sharp edges present in fence panels or other structures that may cause escape or possible injury. **(major)**
8. Padding must be installed on the overhead bars of all gates and chutes used in single file alleys. **(major)**
9. Hinged, self-latching gates must be used in all pens and alleys except for entry gates into the trap, which may be secured with tie ropes. **(major)**
10. Finger gates (one-way funnel gates) used in bait trapping must be constructed of materials approved by the Lead COR/COR/PI. Finger gates must not be constructed of materials that have sharp ends that may cause injuries to WH&Bs, such as "T" posts, sharpened willows, etc. **(major)**
11. Water must be provided at a minimum rate of ten gallons per 1000 pound animal per day, adjusted accordingly for larger or smaller horses, burros and foals, and environmental conditions, with each trough placed in a separate location of the pen (i.e. troughs at opposite ends of the pen). Water must be refilled at least every morning and evening. **(major)**
12. The design of pens at the trap site and temporary holding facility should be constructed with rounded corners. **(minor)**

13. All gates and panels in the animal holding and handling pens and alleys of the trap site must be covered with materials such as plywood, snow fence, tarps, burlap, etc. approximately 48” in height to provide a visual barrier for the animals. All materials must be secured in place. **(major)**

These guidelines apply:

- a. For exterior fences, material covering panels and gates must extend from the top of the panel or gate toward the ground. **(major )**
  - b. For alleys and small internal handling pens, material covering panels and gates should extend from no more than 12 inches below the top of the panel or gate toward the ground to facilitate visibility of animals and the use of flags and paddles during sorting. (minor)
  - c. The initial capture pen may be left uncovered as necessary to encourage animals to enter the first pen of the trap. (minor)
14. Non-essential personnel and equipment must be located to minimize disturbance of WH&Bs. **(major)**
  15. Trash, debris, and reflective or noisy objects should be eliminated from the trap site and temporary holding facility. (minor)

#### **B. Loading and Unloading Areas**

1. Facilities in areas for loading and unloading WH&Bs at the trap site or temporary holding facility must be maintained in a safe and proper working condition, including gates that swing freely and latch or tie easily. **(major)**
2. The side panels of the loading chute must be a minimum of 6 feet high and fully covered with materials such as plywood or metal without holes that may cause injury. **(major)**
3. There must be no holes, gaps or openings, protruding surfaces, or sharp edges present in fence panels or other structures that may cause escape or possible injury. **(major)**
4. All gates and doors must open and close easily and latch securely. **(major)**

5. Loading and unloading ramps must have a non-slip surface and be maintained in a safe and proper working condition to prevent slips and falls. Examples of non-slip flooring would include, but not be limited to, rubber mats, sand, shavings, and steel reinforcement rods built into ramp. There must be no holes in the flooring or items that can cause an animal to trip. **(major)**
6. Trailers must be properly aligned with loading and unloading chutes and panels such that no gaps exist between the chute/panel and floor or sides of the trailer creating a situation where a WH&B could injure itself. **(major)**
7. Stock trailers should be positioned for loading or unloading such that there is no more than 12” clearance between the ground and floor of the trailer for burros and 18” for horses. (minor)

## **II. CAPTURE TECHNIQUE**

### **A. Capture Techniques**

1. WH&Bs gathered on a routine basis for removal or return to range must be captured by the following approved procedures under direction of the Lead COR/COR/PI. **(major)**
  - a. Helicopter
  - b. Bait trapping
2. WH&Bs must not be captured by snares or net gunning. **(major)**
3. Chemical immobilization must only be used for capture under exceptional circumstances and under the direct supervision of an on-site veterinarian experienced with the technique. **(major)**

### **B. Helicopter Drive Trapping**

1. The helicopter must be operated using pressure and release methods to herd the animals in a desired direction and should not repeatedly evoke erratic behavior in the WH&Bs causing injury or exhaustion. Animals must not be pursued to a point of exhaustion; the on-site veterinarian must examine WH&Bs for signs of exhaustion. **(major)**

2. The rate of movement and distance the animals travel must not exceed limitations set by the Lead COR/COR/PI who will consider terrain, physical barriers, access limitations, weather, condition of the animals, urgency of the operation (animals facing drought, starvation, fire, etc.) and other factors. **(major)**
  - a. WH&Bs that are weak or debilitated must be identified by BLM staff or the contractors. Appropriate gather and handling methods should be used according to the direction of the Lead COR/COR/PI. **(major)**
  - b. The appropriate herding distance and rate of movement must be determined on a case-by-case basis considering the weakest or smallest animal in the group (e.g., foals, pregnant mares, or horses that are weakened by body condition, age, or poor health) and the range and environmental conditions present. **(major)**
  - c. Rate of movement and distance travelled must not result in exhaustion at the trap site, with the exception of animals requiring capture that have an existing severely compromised condition prior to gather. Where compromised animals cannot be left on the range or where doing so would only serve to prolong their suffering, euthanasia will be performed in accordance with BLM policy. **(major)**
3. WH&Bs must not be pursued repeatedly by the helicopter such that the rate of movement and distance travelled exceeds the limitation set by the Lead COR/COR/PI. Abandoning the pursuit or alternative capture methods may be considered by the Lead COR/COR/PI in these cases. **(major)**
4. When WH&Bs are herded through a fence line en route to the trap, the Lead COR/COR/PI must be notified by the contractor. The Lead COR/COR/PI must determine the appropriate width of the opening that the fence is let down to allow for safe passage through the opening. The Lead COR/COR/PI must decide if existing fence lines require marking to increase visibility to WH&Bs. **(major)**
5. The helicopter must not come into physical contact with any WH&B. The physical contact of any WH&B by helicopter must be documented by Lead COR/COR/PI along with the circumstances. **(major)**
6. WH&Bs may escape or evade the gather site while being moved by the helicopter. If there are mare/dependent foal pairs in a group being brought to a trap and half of an identified pair is thought to have evaded capture, multiple attempts by helicopter may

- be used to bring the missing half of the pair to the trap or to facilitate capture by roping. In these instances, animal condition and fatigue must be evaluated by the Lead COR/COR/PI or on-site veterinarian on a case-by-case basis to determine the number of attempts that can be made to capture an animal. **(major)**
7. Horse captures must not be conducted when ambient temperature at the trap site is below 10°F or above 95°F without approval of the Lead COR/COR/PI. Burro captures must not be conducted when ambient temperature is below 10°F or above 100°F without approval of the Lead COR/COR/PI. The Lead COR/COR/PI will not approve captures when the ambient temperature exceeds 105 °F. **(major)**

### **C. Roping**

1. The roping of any WH&B must be approved prior to the procedure by the Lead COR/COR/PI. **(major)**.
2. The roping of any WH&B must be documented by the Lead COR/COR/PI along with the circumstances. WH&Bs may be roped under circumstances which include but are not limited to the following: reunite a mare or jenny and her dependent foal; capture nuisance, injured or sick WH&Bs or those that require euthanasia; environmental reasons such as deep snow or traps that cannot be set up due to location or environmentally sensitive designation; and public and animal safety or legal mandates for removal. **(major)**
3. Ropers should dally the rope to their saddle horn such that animals can be brought to a stop as slowly as possible and must not tie the rope hard and fast to the saddle so as to intentionally jerk animals off their feet. **(major)**
4. WH&Bs that are roped and tied down in recumbency must be continuously observed and monitored by an attendant at a maximum of 100 feet from the animal. **(major)**
5. WH&Bs that are roped and tied down in recumbency must be untied within 30 minutes. **(major)**
6. If the animal is tied down within the wings of the trap, helicopter drive trapping within the wings will cease until the tied-down animal is removed. **(major)**
7. Sleds, slide boards, or slip sheets must be placed underneath the animal's body to move and/or load recumbent WH&Bs. **(major)**

8. Halters and ropes tied to a WH&B may be used to roll, turn, position or load a recumbent animal, but a WH&B must not be dragged across the ground by a halter or rope attached to its body while in a recumbent position. **(major)**
9. Animals captured by roping must be evaluated by the on-site/on-call veterinarian within four hours after capture, marked for identification at the trap site, and be re-evaluated periodically as deemed necessary by the on-site/on-call veterinarian. **(major)**

#### **D. Bait Trapping**

1. WH&Bs may be lured into a temporary trap using bait (feed, mineral supplement, water) or sexual attractants (mares/jennies in heat) with the following requirements:
  - a. The period of time water sources other than in the trap site are inaccessible must not adversely affect the wellbeing of WH&Bs, wildlife or livestock, as determined by the Lead COR/COR/PI. **(major)**
  - b. Unattended traps must not be left unobserved for more than 12 hours. **(major)**
  - c. Mares/jennies and their dependent foals must not be separated unless for safe transport. **(major)**
  - d. WH&Bs held for more than 12 hours must be provided with accessible clean water at a minimum rate of ten gallons per 1000 pound animal per day, adjusted accordingly for larger or smaller horses, burros and foals and environmental conditions. **(major)**
  - e. WH&Bs held for more than 12 hours must be provided good quality hay at a minimum rate of 20 pounds per 1000 pound adult animal per day, adjusted accordingly for larger or smaller horses, burros and foals. **(major)**
    - 1) Hay must not contain poisonous weeds, debris, or toxic substances. **(major)**
    - 2) Hay placement must allow all WH&Bs to eat simultaneously. **(major)**

### **III. WILD HORSE AND BURRO CARE**

#### **A. Veterinarian**

1. On-site veterinary support must be provided for all helicopter gathers and on-site or on-call support must be provided for bait trapping. **(major)**

2. Veterinary support must be under the direction of the Lead COR/COR/PI. The on-site/on-call veterinarian will provide consultation on matters related to WH&B health, handling, welfare, and euthanasia at the request of the Lead COR/COR/PI. All decisions regarding medical treatment or euthanasia will be made by the on-site Lead COR/COR/PI. **(major)**

## **B. Care**

1. Feeding and Watering
  - a. Adult WH&Bs held in traps or temporary holding pens for longer than 12 hours must be fed every morning and evening with water available at all times other than when animals are being sorted or worked. **(major)**
  - b. Water must be provided at a minimum rate of ten gallons per 1000 pound animal per day, adjusted accordingly for larger or smaller horses, burros and foals, and environmental conditions, with each trough placed in a separate location of the pen (i.e. troughs at opposite ends of the pen). **(major)**
  - c. Good quality hay must be fed at a minimum rate of 20 pounds per 1000 pound adult animal per day, adjusted accordingly for larger or smaller horses, burros and foals. **(major)**
    - i. Hay must not contain poisonous weeds or toxic substances. **(major)**
    - ii. Hay placement must allow all WH&Bs to eat simultaneously. **(major)**
  - d. When water or feed deprivation conditions exist on the range prior to the gather, the Lead COR/COR/PI should adjust the watering and feeding arrangements in consultation with the onsite veterinarian as necessary to provide for the needs of the animals. **(minor)**
2. Dust abatement
  - a. Dust abatement by spraying the ground with water must be employed when necessary at the trap site and temporary holding facility. **(major)**

3. Trap Site
  - a. Dependent foals or weak/debilitated animals must be separated from other WH&Bs at the trap site to avoid injuries during transportation to the temporary holding facility. Separation of dependent foals from mares must not exceed four hours unless the Lead COR/COR/PI authorizes a longer time or a decision is made to wean the foals. **(major)**
4. Temporary Holding Facility
  - a. All WH&Bs in confinement must be observed at least once daily to identify sick or injured WH&Bs and ensure adequate food and water. **(major)**
  - b. Foals must be reunited with their mares/jennies at the temporary holding facility within four hours of capture unless the Lead COR/COR/PI authorizes a longer time or foals are old enough to be weaned during the gather. **(major)**
  - c. Non-ambulatory WH&Bs must be located in a pen separate from the general population and must be examined by the BLM horse specialist and/or on-call or on-site veterinarian as soon as possible, no more than four hours after recumbency is observed. Unless otherwise directed by a veterinarian, hay and water must be accessible to an animal within six hours after recumbency. **(major)**
  - d. Alternate pens must be made available for the following: **(major)**
    - 1) WH&Bs that are weak or debilitated
    - 2) Mares/jennies with dependent foals
  - e. Aggressive WH&Bs causing serious injury to other animals should be identified and relocated into alternate pens when possible. (minor)
  - f. WH&Bs in pens at the temporary holding facility should be maintained at a proper stocking density such that when at rest all WH&Bs occupy no more than half the pen area. (minor)



### C. Biosecurity

1. Health records for all saddle and pilot horses used on WH&B gathers must be provided to the Lead COR/COR/PI prior to joining a gather, including: **(major)**
  - a. Certificate of Veterinary Inspection (Health Certificate, within 30 days).
  - b. Proof of:
    - 1) A negative test for equine infectious anemia (Coggins or EIA ELISA test) within 12 months.
    - 2) Vaccination for tetanus, eastern and western equine encephalomyelitis, West Nile virus, equine herpes virus, influenza, *Streptococcus equi*, and rabies within 12 months.
2. Saddle horses, pilot horses and mares used for bait trapping lures must not be removed from the gather operation (such as for an equestrian event) and allowed to return unless they have been observed to be free from signs of infectious disease for a period of at least three weeks and a new Certificate of Veterinary Examination is obtained after three weeks and prior to returning to the gather. **(major)**
3. WH&Bs, saddle horses, and pilot horses showing signs of infectious disease must be examined by the on-site/on-call veterinarian. **(major)**
  - a. Any saddle or pilot horses showing signs of infectious disease (fever, nasal discharge, or illness) must be removed from service and isolated from other animals on the gather until such time as the horse is free from signs of infectious disease and approved by the on-site/on-call veterinarian to return to the gather. **(major)**
  - b. Groups of WH&Bs showing signs of infectious disease should not be mixed with groups of healthy WH&Bs at the temporary holding facility, or during transport. **(minor)**
4. Horses not involved with gather operations should remain at least 300 yards from WH&Bs, saddle horses, and pilot horses being actively used on a gather. **(minor)**

## IV. HANDLING

### A. Willful Acts of Abuse

1. Hitting, kicking, striking, or beating any WH&B in an abusive manner is prohibited. **(major)**
2. Dragging a recumbent WH&B without a sled, slide board or slip sheet is prohibited. Ropes used for moving the recumbent animal must be attached to the sled, slide board or slip sheet unless being loaded as specified in Section II. C. 8. **(major)**
3. There should be no deliberate driving of WH&Bs into other animals, closed gates, panels, or other equipment. (minor)
4. There should be no deliberate slamming of gates and doors on WH&Bs. (minor)
5. There should be no excessive noise (e.g., constant yelling) or sudden activity causing WH&Bs to become unnecessarily flighty, disturbed or agitated. (minor)

### B. General Handling

1. All sorting, loading or unloading of WH&Bs during gathers must be performed during daylight hours except when unforeseen circumstances develop and the Lead COR/CO/PI approves the use of supplemental light. **(major)**
2. WH&Bs should be handled to enter runways or chutes in a forward direction. (minor)
3. WH&Bs should not remain in single-file alleyways, runways, or chutes longer than 30 minutes. (minor)
4. Equipment except for helicopters should be operated and located in a manner to minimize flighty behavior . (minor)

### C. Handling Aids

1. Handling aids such as flags and shaker paddles must be the primary tools for driving and moving WH&Bs during handling and transport procedures. Contact of the flag or paddle end of primary handling aids with a WH&B is allowed. Ropes looped around the hindquarters may be used from horseback or on foot to assist in moving an animal forward or during loading. **(major)**

2. Electric prods must not be used routinely as a driving aid or handling tool. Electric prods may be used in limited circumstances only if the following guidelines are followed:
  - a. Electric prods must only be a commercially available make and model that uses DC battery power and batteries should be fully charged at all times. **(major)**
  - b. The electric prod device must never be disguised or concealed. **(major)**
  - c. Electric prods must only be used after three attempts using other handling aids (flag, shaker paddle, voice or body position) have been tried unsuccessfully to move the WH&Bs. **(major)**
  - d. Electric prods must only be picked up when intended to deliver a stimulus; these devices must not be constantly carried by the handlers. **(major)**
  - e. Space in front of an animal must be available to move the WH&B forward prior to application of the electric prod. **(major)**
  - f. Electric prods must never be applied to the face, genitals, anus, or underside of the tail of a WH&B. **(major)**
  - g. Electric prods must not be applied to any one WH&B more than three times during a procedure (e.g., sorting, loading) except in extreme cases with approval of the Lead COR/COR/PI. Each exception must be approved at the time by the Lead COR/COR/PI. **(major)**
  - h. Any electric prod use that may be necessary must be documented daily by the Lead COR/COR/PI including time of day, circumstances, handler, location (trap site or temporary holding facility), and any injuries (to WH&B or human). **(major)**

## V. TRANSPORTATION

### A. General

1. All sorting, loading, or unloading of WH&Bs during gathers must be performed during daylight hours except when unforeseen circumstances develop and the Lead COR/CO/PI approves the use of supplemental light. **(major)**

2. WH&Bs identified for removal should be shipped from the temporary holding facility to a BLM facility within 48 hours. (minor)
  - a. Shipping delays for animals that are being held for release to range or potential on-site adoption must be approved by the Lead COR/COR/PI. (**major**)
3. Shipping should occur in the following order of priority; 1) debilitated animals, 2) pairs, 3) weanlings, 4) dry mares and 5) studs. (minor)
4. Planned
5. transport time to the BLM preparation facility from the trap site or temporary holding facility must not exceed 10 hours. (**major**)
6. WH&Bs should not wait in stock trailers and/or semi-trailers at a standstill for more than a combined period of three hours during the entire journey. (minor)

## **B. Vehicles**

1. Straight-deck trailers and stock trailers must be used for transporting WH&Bs. (**major**)
  - a. Two-tiered or double deck trailers are prohibited. (**major**)
  - b. Transport vehicles for WH&Bs must have a covered roof or overhead bars containing them such that WH&Bs cannot escape. (**major**)
2. WH&Bs must have adequate headroom during loading and unloading and must be able to maintain a normal posture with all four feet on the floor during transport without contacting the roof or overhead bars. (**major**)
3. The width and height of all gates and doors must allow WH&Bs to move through freely. (**major**)
4. All gates and doors must open and close easily and be able to be secured in a closed position. (**major**)
5. The rear door(s) of the trailers must be capable of opening the full width of the trailer. (**major**)
6. Loading and unloading ramps must have a non-slip surface and be maintained in proper working condition to prevent slips and falls. (**major**)

7. Transport vehicles more than 18 feet and less than 40 feet in length must have a minimum of one partition gate providing two compartments; transport vehicles 40 feet or longer must have at least two partition gates to provide a minimum of three compartments. **(major)**
8. All partitions and panels inside of trailers must be free of sharp edges or holes that could cause injury to WH&Bs. **(major)**
9. The inner lining of all trailers must be strong enough to withstand failure by kicking that would lead to injuries. **(major)**
10. Partition gates in transport vehicles should be used to distribute the load into compartments during travel. **(minor)**
11. Surfaces and floors of trailers must be cleaned of dirt, manure and other organic matter prior to the beginning of a gather. **(major)**

### **C. Care of WH&Bs during Transport Procedures**

1. WH&Bs that are loaded and transported from the temporary holding facility to the BLM preparation facility must be fit to endure travel. **(major)**
  - a. WH&Bs that are non-ambulatory, blind in both eyes, or severely injured must not be loaded and shipped unless it is to receive immediate veterinary care or euthanasia. **(major)**
  - b. WH&Bs that are weak or debilitated must not be transported without approval of the Lead COR/COR/PI in consultation with the on-site veterinarian. Appropriate actions for their care during transport must be taken according to direction of the Lead COR/COR/PI. **(major)**
2. WH&Bs should be sorted prior to transport to ensure compatibility and minimize aggressive behavior that may cause injury. **(minor)**
3. Trailers must be loaded using the minimum space allowance in all compartments as follows: **(major)**
  - a. 12 square feet per adult horse.
  - b. 6.0 square feet per dependent horse foal.
  - c. 8.0 square feet per adult burro.
  - d. 4.0 square feet per dependent burro foal.

4. The Lead COR/COR/PI in consultation with the receiving Facility Manager must document any WH&B that is recumbent or dead upon arrival at the destination.  
(major)
  - a. Non-ambulatory or recumbent WH&Bs must be evaluated on the trailer and either euthanized or removed from the trailers using a sled, slide board or slip sheet.  
(major)
5. Saddle horses must not be transported in the same compartment with WH&Bs.  
(major)

## VI. EUTHANASIA OR DEATH

### A. Euthanasia Procedure during Gather Operations

1. An authorized, properly trained, and experienced person as well as a firearm appropriate for the circumstances must be available at all times during gather operations. When the travel time between the trap site and temporary holding facility exceeds one hour or if radio or cellular communication is not reliable, provisions for euthanasia must be in place at both the trap site and temporary holding facility during the gather operation. (major)
2. Euthanasia must be performed according to American Veterinary Medical Association euthanasia guidelines (2013) using methods of gunshot or injection of an approved euthanasia agent. (major)
3. The decision to euthanize and method of euthanasia must be directed by the Authorized Officer or their Authorized Representative(s) that include but are not limited to the Lead COR/COR/PI who must be on site and may consult with the on-site/on-call veterinarian. (major)
4. Photos needed to document an animal's condition should be taken prior to the animal being euthanized. No photos of animals that have been euthanized should be taken. An exception is when a veterinarian or the Lead COR/COR/PI may want to document certain findings discovered during a postmortem examination or necropsy. (minor)
5. Any WH&B that dies or is euthanized must be documented by the Lead COR/COR/PI including time of day, circumstances, euthanasia method, location, a

- description of the age, gender, and color of the animal and the reason the animal was euthanized. (**major**)
6. The on-site/on-call veterinarian should review the history and conduct a postmortem physical examination of any WH&B that dies or is euthanized during the gather operation. A necropsy should be performed whenever feasible if the cause of death is unknown. (minor)

## **B. Carcass Disposal**

1. The Lead COR/COR/PI must ensure that appropriate equipment is available for the timely disposal of carcasses when necessary on the range, at the trap site, and temporary holding facility. (**major**)
2. Disposal of carcasses must be in accordance with state and local laws. (**major**)
3. WH&Bs euthanized with a barbiturate euthanasia agent must be buried or otherwise disposed of properly. (**major**)
4. Carcasses left on the range should not be placed in washes or riparian areas where future runoff may carry debris into ponds or waterways. Trenches or holes for buried animals should be dug so the bottom of the hole is at least 6 feet above the water table and 4-6 feet of level earth covers the top of the carcass with additional dirt mounded on top where possible. (minor)

**CAWP**  
**REQUIRED DOCUMENTATION AND RESPONSIBILITIES OF**  
**LEAD COR/COR/PI**

**VII. REQUIRED DOCUMENTATION**

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<b>Section</b>	<b>Documentation</b>
II.B.5	Helicopter contact with any WH&B.
II.C.2	Roping of any WH&B.
III.B.3.a and	Reason for allowing longer than four hours to reunite foals with mares/jennies. Does not apply if foals are being weaned.
III.B.4.b	
III.C.1	Health status of all saddle and pilot horses.
IV.C.2.h	All uses of electric prod.
V.C.4	Any WH&B that is recumbent or dead upon arrival at destination following transport.
VI.A.5	Any WH&B that dies or is euthanized during gather operation.

**Responsibilities**

<b>Section</b>	<b>Responsibility</b>
I.A.10	Approve materials used in construction of finger gates in bait trapping
II.A.1	Direct gather procedures using approved gather technique.
II.B. 2	Determine rate of movement and distance limitations for WH&B helicopter gather.
II.B.2.a	Direct appropriate gather/handling methods for weak or debilitated WH&B.
II.B.3	Determine whether to abandon pursuit or use other capture method in order to avoid repeated pursuit of WH&B.
II.B.4	Determine width and need for visibility marking when using opening in fence en route to trap.
II.B.6	Determine number of attempts that can be made to capture the missing half of a mare/foal pair that has become separated.
II.B.7	Determine whether to proceed with gather when ambient temperature is outside the range of 10°F to 95°F for horses or 10°F to 100°F for burros.
II.C.1	Approve roping of any WH&B.
II.D.1.a	Determine period of time that water outside a bait trap is inaccessible such that wellbeing of WH&Bs, wildlife, or livestock is not adversely affected.
III.A.2	Direct and consult with on-site/on-call veterinarian on any matters related to WH&B health, handling, welfare and euthanasia.



- III.B.1.e Adjust feed/water as necessary, in consultation with onsite/on call veterinarian, to provide for needs of animals when water or feed deprivation conditions exist on range.
- III.B.4.c Determine provision of water and hay to non-ambulatory animals.
- IV.C.2.g Approve use of electric prod more than three times, for exceptional cases only.
- V.A.1 Approve sorting, loading, or unloading at night with use of supplemental light.
- V.A.2.a Approve shipping delays of greater than 48 hours from temporary holding facility to BLM facility.
- V.C.1.b Approve of transport and care during transport for weak or debilitated WH&B.
- VI.A.3 Direct decision regarding euthanasia and method of euthanasia for any WH&B; may consult with on-site/on-call veterinarian.
- VI.B.1 Ensure that appropriate equipment is available for carcass disposal.